

Members

Sen. Becky Skillman, Chairperson
Sen. Steve Johnson
Sen. Mark Blade
Sen. Rose Antich
Rep. Tiny Adams
Rep. Peggy Welch
Rep. Gloria Goeglein
Rep. Matthew Whetstone
Thomas Rethlake
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Raymond Lueken
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Timothy Skinner
Al Dillon
William Mansard
John Catey



COUNTY GOVERNMENT STUDY COMMISSION

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Authority: P.L. 28-2001 (HEA 1629)

MEETING MINUTES¹

Meeting Date: September 25, 2001
Meeting Time: 1:00 P.M.
Meeting Place: State House, 200 W. Washington St.,
Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Sen. Becky Skillman, Chairperson; Sen. Steve Johnson; Sen. Mark Blade; Rep. Peggy Welch; Rep. Gloria Goeglein; Rep. Tiny Adams; Rep. Matthew Whetstone; Thomas Rethlake; Frank Fritch; Richard Jones; Vernon Jewell; Doug Lechner; Garland Ferrell; Kelly M. Thompson; Jean Lushin; Timothy Skinner; Al Dillon; William Mansard; John Catey.

Members Absent: Sen. Rose Antich; Raymond Lueken.

Chairperson Senator Becky Skillman, called the second meeting of the County Government Study Commission to order at 1:00 PM. Senator Skillman introduced the members of the Commission.

PUBLIC EMPLOYEES RETIREMENT FUND AND SERVICE TIMES OF ELECTED OFFICIALS:

Senator Skillman introduced Preliminary Draft PD 3184 (Exhibit A). Commission discussion followed on Exhibit A.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Senator Skillman stated the Commission will vote on PD 3184 during the next meeting of the Commission, after the fiscal impact of PD 3184 has been determined.

DELINEATION OF COUNTY COUNCIL AND COUNTY COMMISSION:

Chairperson Skillman introduced a memorandum prepared by Legislative Services Agency concerning the powers of county commission and county council (Exhibit B). Discussion ensued on Exhibit B.

Garland Ferrell, Laymember

Mr. Ferrell spoke on line itemization of budgets. Mr. Ferrell discussed the lack of feasibility for counties to itemize their budgets to any great detail. Mr. Ferrell indicated reallocation of funds would be much more difficult to accomplish if a county budgeted by line item. Flexibility in times of economic troubles would be unavailable to the county leadership with line item budgets. Mr. Ferrell detailed that plans are already in place to deal with disasters and tragic circumstances out of the structure of the current budget.

Senator Becky Skillman, Chairperson

Senator Skillman elaborated that the Commission wants the disclosure that line item budgets would provide. However at the same time, the Chairperson stated it is not the Commission's wish to tie the hands of the county in times of fiscal crisis.

HOLDOVER OFFICES:

Senator Skillman introduced Exhibit C (memorandum prepared by Legislative Services Staff regarding information concerning holdover offices.) The memorandum addressed the counties and the particular offices that experience a holdover effect of between one year to eighteen months of the previous office holder. Porter County was mentioned briefly as an example. Senator Steve Johnson of Kokomo questioned whether the situation resulting from holdover offices could be addressed through local ordinance or would statute have to be created. HJ9201 (Exhibit D) was introduced to the Commission, as it was determined that a constitutional amendment would be required to establish a uniform set of starting dates for new office holders.

David Bottorff, Association of Indiana Counties

Mr. Bottorff testified about outgoing officeholders currently holding offices for an extra year. He specified that much could be done in a year, and the current situation creates a lot of confusion at election time. Changes in the 1950's to four year terms occurred where counties decided who would change terms and when. Upon question from Representative Welch concerning whether there are people who want to keep holdover offices, Mr. Bottorff commented there were not very many that wished to keep holdover offices, where those that do are motivated by Public Employee Retirement Fund (PERF) concerns.

Following further Commission discussion, Chairperson Skillman indicated that the issue will come to a vote next meeting.

ASSESSING RESPONSIBILITY AT THE COUNTY AND TOWNSHIP LEVELS:

Memorandum prepared by staff of Legislative Services Agency containing several statute references regarding assessing officials (Exhibit E) was presented to the Commission. Discussion ensued concerning Exhibit E.

Judy Sharp, President County Assessors Association, Monroe County Assessor

Chairperson Skillman recognized Judy Sharp, President of the County Assessors Association and Monroe County Assessor.

Ms. Sharp provided an overview of the office of township trustee with assessing duties from the prospective of the county assessor. Ms. Sharp stated that the assessing records of township trustees with assessing duties generally are not computerized, and that most township trustees probably do not have the computer skills necessary to run the assessing programs available. Ms. Sharp indicated that part of the problem also lies in the fact that most township trustees with assessing duties are also busy with trustee duties.

Ms. Sharp stated that she was speaking for the County Assessors Association and herself when she called for authority over the assessing process to be placed in the hands of the county assessors. Ms. Sharp discussed problems caused by township trustees with assessing duties. The Commission discussed the accountability necessary in the assessment process and discussed HB 1783-1997.

In addition the Commission discussed the issue of township trustees, township trustees with assessing duties, and township assessors.

Steve Buschmann, Indiana Township Association

Senator Skillman recognized Steve Buschmann to testify. Mr. Buschmann rebutted claims that township trustees with assessing duties do not want to have assessment duties, and that township trustees with assessing duties have difficulty due to their trustee duties. The Commission discussed the work of township trustees.

After further discussion, Mr. Buschmann pointed out that the percentage of township trustees with assessing duties who are Level 1 or Level 2 assessors has been increasing.

Mr. Buschmann introduced an Indiana Township Association (ITA) proposed draft regarding the county property tax assessment board of appeals (Exhibit F) and commented further on the draft's contents.

Further discussion ensued.

Jeff Wuensch, Lincoln Institute of Land Policy

Mr. Wuensch handed out a prepared document containing information on Population-Based Assessment Jurisdictions (Exhibit G). Mr. Wuensch testified that the structure at local level has contributed as much to the current problems of assessment as had the manual. Further discussion between the Committee and Mr. Wuensch continued.

David Bottorff, Association of Indiana Counties

Mr. Bottorff stated that the issue of assessing responsibility has been around for awhile. He stated that more assessors were needed. Mr. Bottorff continued by stating that there is a need to professionalize the entire system.

Linda Williams, Township Trustee, Adams Township, Hamilton County

Upon being recognized by the Chairperson, Ms. Williams testified that equalization is not a

substitute for current law. Additionally, she stated that manuals from December of 1999 are not a fairness substitute. The situation, she declared, needs to be further addressed.

William Pipher, Township Trustee, Bloomfield Township, LaGrange County

Chairperson Skillman recognized Mr. Pipher to testify. Mr. Pipher indicated that the most efficient method for assessment would be to rely on one official. Additionally, he noted that the best method for the citizens would be by local contract.

Garland Ferrell, Laymember

In response to these comments, Mr Ferrell responded that the problem is with individuals that are not following the law. For the auditor, it is difficult to accomplish reassessment under this system. He recommended that given the law currently in place, that a solution would be to amend the appeals process.

Upon conclusion of the discussion, Chairperson Skillman asked for further testimony. Finding none, Chairperson Skillman reminded the Commission that the next meeting date is set for October 16, 2001 at 1:30 PM. Chairperson Skillman then adjourned the meeting.